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CHAPTER 154: SIGNS

§ 154.000 GENERAL PROVISIONS

§ 154.001 PURPOSE.

The purposes of this Chapter are to provide for uniform sign standards that:

- (A) Protect the rights of persons and business to freedom of speech under the State of Texas and federal law;
- (B) Ensure consistency with State statutes relating to sign regulation;
- (C) Encourage the effective use of signs as a means of communication in the city;
- (D) Maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth;
- (E) Facilitate economic development;
- (F) Reduce the confusion and traffic hazards that result from excessive and prolific use of sign displays;
- (G) Promote public safety and protect persons and property by ensuring that signs do not create a hazard by:
 - (1) Collapsing, catching fire, or otherwise deteriorating or decaying;
 - (2) Confusing or distracting motorists; or
 - (3) Impairing drivers' ability by obstructing the awareness or visibility of pedestrians, obstacles, or other vehicles, or to read traffic-control devices or signs.
- (H) Control the number, size, height, location, lighting, and design characteristics of signs to avoid visual clutter which leads to the decline in the community's appearance and property values, and reduces the effectiveness of the signs;
- (I) Clearly identify the various sign types by the physical and structural characteristics in order to make the regulations easy to use, while promoting the City's goals and objectives relating to the design, appearance, and economic effectiveness of signs;
- (J) Minimize the possible adverse effect of signs on nearby public and private property;
- (K) Coordinate the City's sign regulations with the applicable zoning districts in order to protect and promote the purpose and character of those districts; and
- (L) Enable the fair and consistent enforcement of these sign regulations.

§ 154.002 OBJECTIVES.

- (A) A sign may be erected, placed, established, painted, created, or maintained in the city only in compliance with the standards, procedures, exemptions, and other requirements of this Chapter.
- (B) The effect of this Chapter, as more specifically set forth herein, is:
 - (1) To establish a permit system to allow a variety of types of signs in residential, commercial, mixed-use, and industrial zoning districts, and a limited variety of signs in other zoning districts, subject to the standards and the permit procedures of this Chapter;
 - (2) To establish sign development standards that relate signs to the respective zoning

district and the speed and function of the road type on which they appear or for areas identified by the City with separate standards appropriate for the designated area.

- (3) To allow certain signs that are small, unobtrusive, and incidental to the principal use of the respective lots on which they are located, subject to the substantive requirements of this Chapter, but without requirements for permits;
- (4) To provide for temporary signs in limited circumstances;
- (5) To prohibit all signs not expressly permitted by this Chapter; and
- (6) To provide for the enforcement of the provisions of this Chapter.

§ 154.003 AUTHORITY; JURISDICTION.

- (A) Authority to regulate signs. This Chapter is authorized by Article XI § 5 of the Texas Constitution, Home Rule Authority inherent under the City Charter, the Texas Local Government Code, Chapter 216, Regulation of Signs by Municipalities and the general police powers of the City.
- (B) Authority of Building Official. The Building Official or his/her designee shall administer and enforce the provisions of this Chapter, including without limitation:
 - (1) Permits and Fees. Issuing permits and collecting the fees required by this Chapter;
 - (2) Inspections. Conducting appropriate inspections to ensure compliance with this Chapter;
 - (3) Variances and Appeals. Receiving and processing variances and appeals;
 - (4) Requiring compliance. Instituting legal proceedings, including suits for injunctive relief when necessary, to ensure compliance with this Chapter; and
 - (5) Violations. Investigating complaints of alleged violations of this Chapter.
- (C) Jurisdiction. In accordance with the Texas Local Government Code, the provisions of this Chapter shall apply to all signs in the city limits and to the areas in the city's extraterritorial jurisdiction (ETJ); however, this Chapter shall only apply to the city's extraterritorial jurisdiction as provided below:
 - (1) This Chapter shall apply to properties subject to a City development agreement; and
 - (2) This Chapter shall apply to all permanent signage within subdivisions within a Special Purpose District; and
 - (3) This Chapter shall only apply to the prohibition of Billboards, Off-Premise Signs, and Obscene Signs, as applicable, in the City's ETJ; and
 - (4) This Chapter shall not apply to temporary signage internal to a residential development or neighborhood not visible from an Arterial Street or a public right-of-way situated within the city limits.
- (D) Subordination. The City of Pflugerville is subordinate to the laws of the federal government and the State of Texas. This Chapter does not prohibit signs, require sign permits, or regulate sign locations or sign characteristics to the extent that they are required to be permitted by the State or federal law or allow signs that are prohibited by the State or federal law.
- (E) Interpretation and Conflicting Provisions. The provisions of this Chapter are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute, code, or other provision of law except as provided in this Chapter. Where any provision of this Chapter imposes restrictions different than those imposed by any other law, including another

provision in this Code of Ordinances, the provision which is more restrictive or imposes higher standards shall control. In addition, the provisions of this Chapter are not intended to interfere with, rescind, or invalidate any easements, covenants, or other agreements between parties. However, if this Chapter imposes a greater restriction or higher standards, this Chapter controls.

§ 154.004 SIGNS EXEMPT FROM REGULATION UNDER THIS CHAPTER.

The following signs, if located on public or private real property with the consent of the property owner, unless otherwise stated in this Chapter, are exempt from regulation under this chapter:

- (A) Government Signs. Signs that promote the interests of the City, State, and Federal Governments in managing traffic, protecting against public hazards and nuisances, and announcing government programs and the location of facilities, infrastructure, rights-of-way, and other public areas. This includes any public notice, warning or traffic-control device required by federal, state, or local law, regulation, or ordinance, including those on public and private property;
- (B) Political Message Signs Pursuant to State Law. Signs which are located on “private real property”, except for signs placed on real property subject to an easement or other encumbrance that allows the City to use the property for a public purpose, containing primarily a political message that do not have an effective area greater than 36 square feet, are not more than eight (8) feet high, are not illuminated and have no moving parts or elements. However, signs, including a billboard, that contain primarily a political message on a temporary basis and that are generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political are specifically excluded;
- (C) Traffic-Control Signs. Traffic-control signs on private property, such as stop, yield, and similar signs, the face of which meet Texas Manual on Uniform Traffic-Control Devices standards and that contain no commercial message of any sort;
- (D) Site Addressing. The City finds that posting of the addresses on building in locations that are visible from the street is necessary for the effective delivery of public safety services. The efficient and timely delivery of emergency services is a compelling governmental interest. Accordingly, the City requires that street addresses shall be posted as per the adopted Fire Code;
- (E) Internal Signs in a concert venue or stadium. Signs where such sign faces are oriented internal to and located inside a structurally enclosed outdoor area to a concert venue, stadium, or similar use, such as a Scoreboard.

§ 154.005 DEFINITIONS AND INTERPRETATION.

Words and phrases used in this chapter shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the zoning ordinance shall be given the meanings set forth in the zoning ordinance. Principles for computing sign area and sign height are contained in §154.301. All other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this chapter.

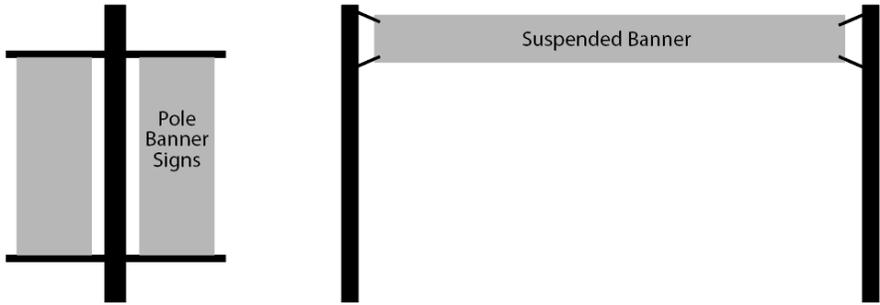
“A” FRAME SIGN. A Portable Sign, also known as sandwich board sign, constructed in such a manner as to form an “A” or a tent-like shape, hinged or not hinged at the top, and each angular face held at an opposite distance by a supporting member. Refer to Portable Sign.

AWNING. A shelter constructed of materials on a supporting framework that projects from and is supported by the exterior wall of a building.

AWNING SIGN. Refer to Canopy/Awning Sign.

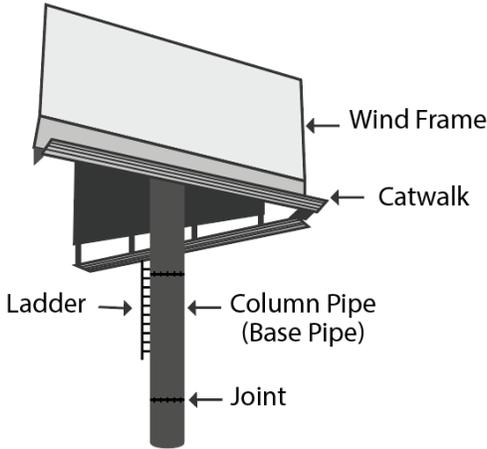
BANDIT SIGN. Means any sign posted on a utility pole, street sign, or other street furniture or a sign posted on public property or public right-of-way in violation of this chapter.

BANNER. Any sign of lightweight fabric or similar material that is mounted to a building, suspended between poles, railings, or other structural parts of the building with or without frames. This definition does not include Commercial Flags or Non-Commercial Flags.

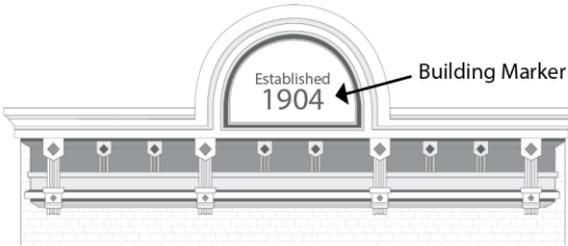


BEACON. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

BILLBOARD. A freestanding sign, typically used as an off-premise sign, mounted on one or more poles, where the sign face is designed for a change in copy, so that the characters, letters, display, or illustrations can be changed or rearranged within a fixed sign face, and where such sign face is typically accessed via an integral ladder and catwalks on one or more sides. The sign face of the Billboard is affixed to a wind frame, solid backing, or comparable framing support network.



BUILDING MARKER. Any sign cut into a masonry surface of a building or made of bronze or other permanent material. A Building Marker shall not include a commercial message and is intended for informational purposes only.



BUILDING SIGN. Any sign attached to any part of a building, as contrasted to a freestanding sign. Building signs include, but not limited to, wall, window, awning, and canopy signs.

CANOPY / AWNING SIGN. Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, or window, and any sign attached to a freestanding canopy structure. A marquee is not a canopy.



CHANGEABLE COPY SIGN. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the sign face or the surface of the sign. A sign designed or operated in such a way to allow the display to change electronically is an electronic message sign or an EMC and not a changeable copy sign for the purposes of this chapter.



CHANNEL LETTER. A fabricated or formed three-dimensional letter.

Channel letters

CLEARANCE, VERTICAL (OF A SIGN). The shortest vertical distance between the grade of the adjacent street curb or sidewalk and the lowest point of any sign, including framework and embellishments, but excluding sign supports. Refer to Section 154.301 for sign clearance calculation methodology.

COMMERCIAL MESSAGE. Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

ELECTRONIC MESSAGE CENTER SIGN (EMC). A sign that includes provisions for programmable electronic message changes, where such sign may be programmed to allow light to be turned on or off intermittently or which operate in a way whereby light is turned on or off intermittently, including any illuminated sign on which such illumination is not kept stationary or

constant in intensity and color at all times when such sign is in use, including an electronic message sign, a light-emitting diode (LED) or digital sign and which varies in intensity or color. An EMC sign does not include a sign located within the right-of-way that functions as a traffic device, and that is described and identified in the Manual on Uniform Traffic-Control Devices approved by the Federal Highway Administrator as the National Standard or is a Government Sign.

FEATHER SIGN. A temporary, freestanding, fabric, plastic, or other flexible material that flutters in the wind in the shape of a feather, quill, sail, blade, or teardrop, and mounted on a solid or flexible pole or cord, sometimes staff driven into the ground for support. These are sometimes referred to as “quill signs” or “sail banners.” A feather sign is considered a “sign” regardless of whether it contains text or logos. This definition does not include Banners or Flags. Refer to Wind Device Sign.

FESTOON. Any fabric, plastic, or other flexible material suspended, draped, and bound at intervals and suspended between two locations or points. A festoon includes strings of ribbons, tinsel, small flags, pennants, streamers, pinwheels, or other devices or long narrow strips of fabric, plastic, or other pliable material designed to move in the wind. This definition does not include Banners. Refer to Wind Device Sign.

FLAG, COMMERCIAL. A singular piece of rectangular fabric containing commercial message that is pole-mounted on a permanent base installed in the ground or attached to a pole affixed to a building, where such fabric is attached along the full extent of one edge. This definition does not include Banner, Feather Sign, Festoon, or other Wind Device Sign.

FLAG, NON-COMMERCIAL. A singular piece of rectangular fabric containing no commercial message that is pole-mounted on a permanent base installed in the ground or attached to a pole affixed to a building, where such fabric is attached along the full extent of one edge. This definition does not include Banner, Feather Sign, Festoon, or other Wind Device Sign.

FLASHING. Flashing means to light suddenly or intermittently, including rotating, pulsating, or a light source that changes or alternates the color of the light sequence.

FOOTCANDLE. A unit of illumination produced on a surface, all points of which are 1 foot from a uniform point source of 1 candle.

FREESTANDING SIGN. Any sign supported by structures or supports that are placed on, or anchored in the ground and that are independent from any building or other structure.

FRONTAGE ROAD, SH 130 OR SH 45. A high capacity street immediately beyond the toll road, generally running parallel to such toll road. Where such the City’s Arterial Streets rights-of-ways abut the toll roads’ rights-of-way and function as the toll roads’ frontage roads, such street segments along the toll road shall be interpreted as a SH 130 or SH 45 Frontage Road.

GOVERNMENT SIGN. A sign installed, maintained, or used (i) by the city, county, State of Texas or the federal government, required or specifically authorized for the public purpose pursuant to regulations promulgated by the state or federal government, (ii) a traffic-related sign installed by any government agency within public right-of-way, or (iii) convey information to the public regarding city, state, or federal government activities and special events.

HARDSHIP, UNNECESSARY. One or more unique conditions related to the restricted area, shape, topography or other physical feature of a property that will prevent any reasonable opportunity to provide adequate on-site signage provided that the conditions creating the hardship have not been created by the applicant's or property owner's own actions, are not a matter of convenience and are not solely based on financial considerations.

HUMAN SIGN. A sign held or attached to a human employed to advertise or otherwise to draw attention to an individual, business, commodity, service, commercial activity, or product.

ILLUMINANCE, FOOTCANDLE. A Footcandle means a unit of light density which falls onto an

object or plane (assumed to be horizontal plane unless otherwise specified), and measurable with an illuminance meter, or otherwise known as a light meter.

ILLUMINATED SIGN. Any sign which has characters, letters, figures, designs or outline illuminate directly or indirectly by electric lights, luminous tubes, or other means.

ILLUMINATION, EXPOSED (OF A SIGN). Exposed illumination is light shining on the outer surface of a sign without the shielding of the light bulb or source. This definition does not include halo illumination.



ILLUMINATION, EXTERNAL (OF A SIGN). External illumination is light shining on the outer surface of a sign. This includes backlit signs when shielding of the bulb is provided, also known as halo illumination.

ILLUMINATION, HALO. A sign illuminated by concealing the light source behind three-dimensional opaque letters, numbers, or other characters of a sign, resulting in the night time perception of a halo around the silhouette of each sign character. This is also referred to as “reverse channel” or “reverse-lit” illumination. A halo lit sign is not considered an internally illuminated sign.

ILLUMINATION, INTERNAL (OF A SIGN). Illumination by light sources enclosed entirely within the sign cabinet and not directly visible from outside the sign. Includes “internally illuminated.”

INCIDENTAL TRAFFIC CONTROL AND SAFETY SIGN (“INCIDENTAL SIGN”). A sign secondary to the use of the property on which it is located, erected for the purpose facilitating and guiding traffic flow, facilitating and guiding pedestrian flow; providing building numbers, and other signs necessary to identify hazards and ensure the safety of those driving and walking on the property such as “no parking,” “entrance,” “loading only,” and other similar signs.

INFLATABLE SIGN. An inflatable sign is any hollow sign expanded or enlarged by the use of gas or air. Inflatable structures primarily designed for recreational use shall not be considered to be a sign as, for example: slides or swimming pools.

INSTITUTIONAL PURPOSE. Institutional purpose shall mean primary and secondary schools, churches, hospitals, institutions of higher education, and any governmental purpose.

LOGO. A Logo is an emblem, letter, character, pictograph, trademark, color scheme, or symbol that is registered, trademarked, or used in media to represent any firm, organization, entity, product, or service.

LOT. A Lot is a single, legally created parcel of land described and recorded as a lot in the county records intended as a unit for transfer of ownership and has frontage on a dedicated public street.

MARQUEE. A shelter projecting from and supported by the exterior wall of a building constructed of rigid materials on a supporting framework. A marquee is distinguished from a canopy in that a marquee is cantilevered, whereas a canopy is supported by posts or other devices beyond the building wall.

MARQUEE SIGN. Any sign attached to, in any manner, or made a part of a marquee. A marquee sign is not a suspended sign.

MASTER SIGNAGE PLAN. A plan establishing requirements for the size, height, location, and

design of signs located within a planned development or a property located with a commercial center.

MONUMENT SIGN. Any freestanding sign where the entire bottom of which is attached directly to the ground or is supported by a sign structure that is a base whose width measures at least seventy-five (75%) of the width of the sign that is placed or anchored in the ground. Monument signs shall not be supported by visible columns, uprights, poles, or braces and shall be of continuous solid construction without holes, gaps, or spacing.



MOVING SIGN. Means a sign having visible moving, scrolling, revolving, or rotating parts, or visible mechanical movement of any kind, except for the movable hands on street clocks, or other apparent visible movement achieved by electrical, electronic, or mechanical means.

MULTITENANT CENTER. A commercial, office, or industrial development where there are located several separate business activities having appurtenant shared facilities, such as driveways, parking, and pedestrian walkways, and that is designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a multitenant center may, but need not, include common ownership of the real property upon which the development is located, common wall construction, and multiple occupant use of a single structure.

MURAL. Means a work of art, containing no commercial message, painted directly to an exterior building wall.

NONCONFORMING SIGN. Any sign that was lawful prior to the adoption, revision, or amendment of this chapter, but now fails to conform to the requirements of this chapter, by reason of such adoption, revision, or amendment.

OBSCENE SIGN. A sign displaying matter which taken as a whole appeals to the prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

OFF-PREMISES SIGN. Any sign that advertises a commercial message regarding a commercial activity not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed and maintained.

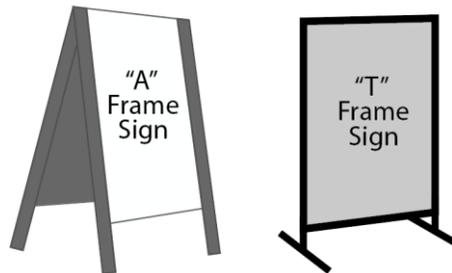
ON-PREMISES SIGN. Any sign that advertises a commercial message on the premises where the sign is installed and maintained when such premises are used for business purposes.

POLE SIGN. A sign that is mounted on one or more freestanding, prefabricated poles or other support so that the bottom edge of the sign face is not in direct contact with a solid base or the ground. This definition does not include a canopy sign, billboard, or pylon sign.

POLE SIGN (LOW-PROFILE), DOWNTOWN DISTRICT OVERLAY. A type of sign allowed in the Downtown District Overlay only, as applicable, in lieu of a monument sign where permitted, at the discretion of the Building Official. Refer to Section 154.302 for conditions and limitations of such signs.

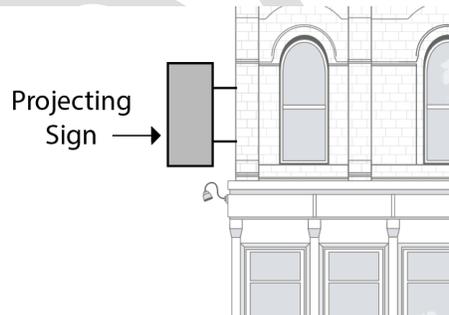


PORTABLE SIGN. Any temporary, freestanding sign not permanently attached to the ground or other permanent structure, or a sign designed or placed in a manner allowing the sign to be moved or relocated without any structural or support changes, and shall take the form of an “A” Frame Sign or a “T” Frame Sign.



PRINCIPAL STRUCTURE. The structure in which the principal land use is conducted on the lot on which it is located. Lots with multiple principal uses may have multiple principal structures, but storage structures, garages, and other clearly accessory uses shall not be considered principal structures.

PROJECTING SIGN. Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.



PUBLIC RIGHT-OF-WAY. Means an area or strip of land, dedicated or conveyed for municipal public use, occupied or intended to be occupied by a street, walkway, utility line, drainage channel, or other municipal public uses as authorized by law.

PYLON SIGN. Freestanding signs that are supported by a masonry structure extending from and permanently attached to the ground by a foundation or footing, with a clearance between the ground and the sign face. Pylon signs are not considered monument signs. Pylon signs differ from pole signs in that they are supported by a structure with internal clearance rather than a pole.



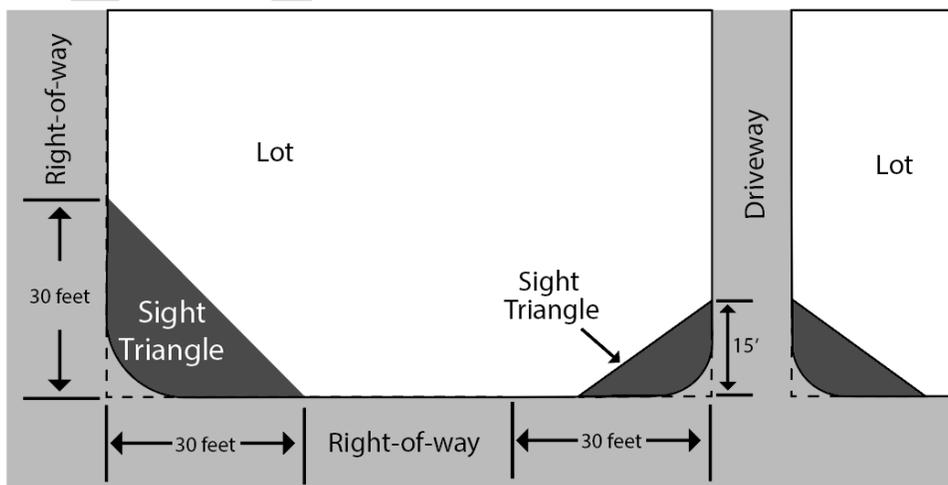
ROOF SIGN. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

ROOF SIGN, INTEGRAL. Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

SCOREBOARDS. Signs erected at an athletic field or stadium and which are generally used to maintain the score or time expired in an event at the field or stadium. This definition shall also include signs mounted or applied to the outfield wall within a baseball field.

SETBACK. The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

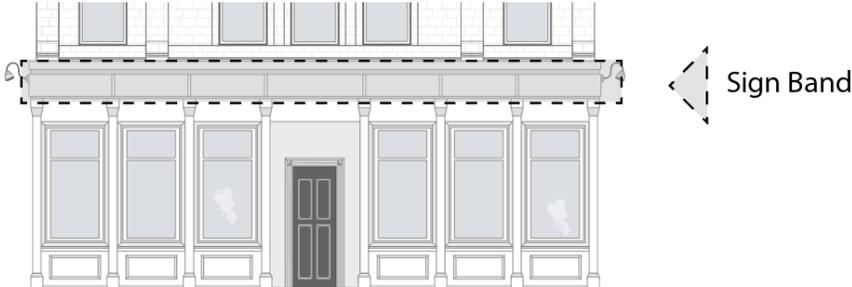
SIGHT TRIANGLE. The triangular area formed by an invisible diagonal line at the corner of either two intersecting street right-of-way lines, the edge of street lines, the edge of a driveway, or combination of two thereof within which no obstruction, measuring greater than 36 inches in height inclusive of berming, may be placed which would block the sightlines for vehicular traffic. A sight triangle is the area formed by three lines, two of which begin at the same point and extend 30 feet in different directions along the street right-of-way lines, 15 feet along the edge of a driveway, or a combination of the two.



SIGN. Means any surface, display, design, or device visible from the public right-of-way on which letters, illustrations, designs, figures, or symbols are painted, printed, stamped, raised, projected, outlined, or attached in any manner whatsoever. The term “sign” includes the supporting structure of the sign.

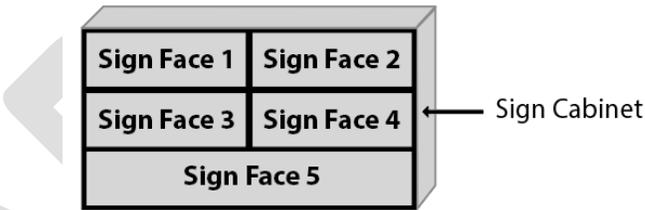
SIGN AREA. The area of the sign that includes all lettering, wording, logos, design, symbols, framing, roofing, and cabinets, or modules, calculated according to the provisions established in this Code. Refer to Section 154.301 for sign area calculation methodology.

SIGN BAND. A flat, horizontal area on a building façade usually located immediately above the storefront and below the second story window sill where signs may be affixed.



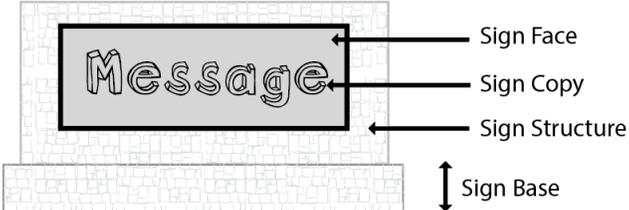
SIGN BASE. A sign base is part of a freestanding sign structure support system permanently mounted to the ground.

SIGN CABINET. A box-like frame or external structure that encloses the various functional elements of the sign design, whether electrical or dimensional components.



SIGN COPY. Any words, letters, numbers, figures, designs, logos, or other symbolic representations incorporated into a sign.

SIGN FACE. The part of the sign that contains sign copy and is distinguished from other parts of the sign, including another sign face, by borders or decorative trim. The term does not include a lighting fixture, apron, or catwalk unless it displays a part of the advertising or information contents of the sign. Refer to Section 154.301 for sign area calculation methodology.



SIGN HEIGHT. The height of a sign shall be computed as the distance from the base of the sign, at finished grade, to the top of the highest attached component of the sign. The finished grade of a sign's location from which the height is measured shall be exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases where the finished grade cannot reasonably be determined, sign height shall be measured on the assumption that

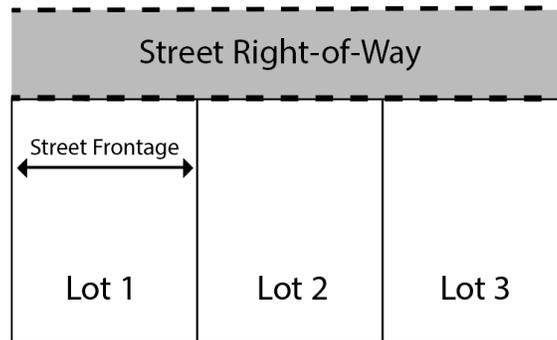
the finished grade at the base of the sign is equal to the nearest pavement or top of any pavement curb, whichever is lower.

STREET. As defined in chapter 157 of the city’s Code of Ordinances.

STREET, ARTERIAL. Refer to the Transportation Master Plan for the definition and classifications.

STREET, COLLECTOR. Refer to the Transportation Master Plan for the definition and classifications.

STREET FRONTAGE. The distance for which a lot line of a lot adjoins a public street, from one lot line intersecting said street to the farthest distant lot line intersecting the same street.

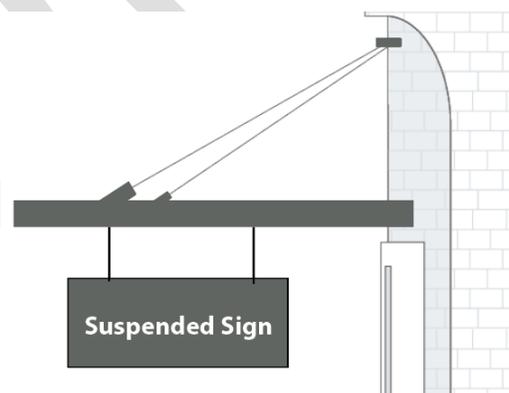


SUBDIVISION. Subdivision means, for purposes of this chapter, the subdivision in its entirety, including all phases, sections, villages, or units under a common development plan.

SUBDIVISION ENTRANCE SIGN, NON-RESIDENTIAL. A sign located at the entrance to a multi-lot, multi-sectioned, master-planned non-residential subdivision.

SUBDIVISION ENTRANCE SIGN, RESIDENTIAL. A sign located at the entrance to a multi-lot, multi-sectioned, master-planned residential subdivision and contains only the name of the subdivision, as a means of identification and wayfinding, with no other information. This sign shall not include any commercial message.

SUSPENDED SIGN. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surfaces, such as an awning, canopy, eave or overhang. A suspended sign is typically affixed by the use of chains, hooks, brackets, or other similar devices. A suspended sign is not a marquee sign.



“T” FRAME SIGN. A sign that is constructed in such a manner as to form an inverted “T.” Refer to Portable Sign.

TEMPORARY SIGN. A sign typically made of lightweight or insubstantial material that can be

easily or quickly mounted or removed (such as cloth, canvas, vinyl, cardboard, plywood, wallboard, or other light temporary materials), with or without a structural frame, intended for a temporary period of display and is not permanently mounted.

UNLAWFUL SIGN. A sign erected in violation of this Chapter or other relevant ordinance of the City.

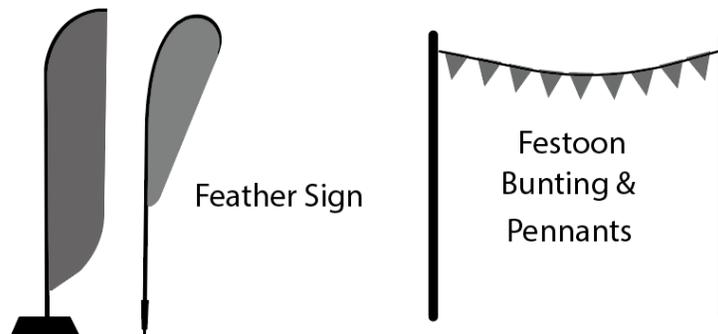
UNNECESSARY HARDSHIP. Refer to Hardship, Unnecessary.

VACANT. A condition in which all uses have been discontinued for a period of six months or longer, whether with the intent to abandon said use or not. The six-month period does not include the period of time necessary to conclude any litigation related to the condition or to the repair thereof.

VEHICLE SIGN. A sign that is attached to or placed in or on a truck, bus, car, trailer, boat, recreational vehicle, or any other vehicle. Vehicle signs shall exclude bumper stickers, license plates, and inspection stickers.

WALL SIGN. Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, that is supported by such wall or building, and that displays only one sign surface.

WIND DEVICE SIGN. Any fabric, plastic, flexible material, or bunting not covered by the definitions of Non-Commercial Flag, Commercial Flag, or Banner, which are design to flutter, wave, rotate, oscillate, undulate or apparent visible movement achieved by a natural means (wind) or by a mechanical device that blows air to force such sign to move. This definition includes Festoons, Feather Sign, and streamers.



WINDOW SIGN. Any sign, pictures, symbol, or a combination thereof, designed to communicate a commercial message that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

ZONING ORDINANCE. The City of Pflugerville zoning ordinance set forth in Chapter 157: Unified Development Code of the City's Code of Ordinances.

§ 154.100 SIGN PERMITS; PROCEDURES.

§ 154.101 SIGN PERMIT APPLICABILITY; EXCEPTIONS.

(A) General.

- (1) Signs shall be allowed and permitted on property in the city or its extraterritorial jurisdiction (ETJ) in accordance with this chapter. Refer to section 154.300 et seq. for sign standards and conditions.
- (2) If a sign requiring a permit under the provision of this chapter is to be placed, constructed, erected, or modified on a lot either within the city limits or the city's extraterritorial jurisdiction (ETJ), the owner of the lot shall secure a sign permit prior

to the construction, placement, erection, or modification of such a sign in accordance with the requirements of §154.100 et seq.

- (3) No sign permit shall be issued for a prohibited sign pursuant to §154.200 et seq. No signs shall be erected in the public right-of-way except as authorized by the City in accordance with §154.202.
- (4) No sign permit of any kind shall be issued for an existing or proposed sign unless such sign is consistent with the requirements of this chapter in every respect and with the Master Signage Plan in effect for the property, if applicable.

(B) Sign Permit Required.

Signs identified as “P” on Tables A1, B1, and C1 in Sections 154.303 through 154.305 shall be erected, installed, or created only in accordance with a duly issued and valid sign construction permit from the Building Official. Such permits shall be issued only in accordance with this Section 154.100 et seq.

(C) Sign Permit Exceptions.

- (1) Signs identified as “A” on Tables A1, B1, and C1 in Sections 154.303 through 154.305 are allowed without a permit provided it meets the sign type specifications and conditions pursuant to Sections 154.303 through 154.305.
- (2) Minor Sign Modifications. Modified sign faces to be included within an existing Sign Cabinet or modifying the sign copies of manual changeable copy signs shall not require a new permit; however, new Sign Cabinet Signs or Channel Letters on a freestanding or as building sign shall require a new permit.

§ 154.102 GENERAL PERMIT PROCEDURES.

The following procedures shall govern the application for, and issuance of, all sign permits under this chapter, and the submission and review of Master Signage Plans:

- (A) Applications. All applications for sign permits of any kind and approval of Master Signage Plans shall be submitted to the Building Official on an application form or in accordance with the application specifications published by the Building Official. The applicant may be required to provide additional sign data and information, as required by the Building Official, in demonstrating compliance with all related code requirements.
- (B) Application and Plan Content. An application for construction, creation, or installation of a new sign or for modification of an existing sign not exempt by Section 154.101(C) shall provide for:
 - (1) Detailed drawings to show the dimensions, design, structure, and location of each particular sign on the Lot.
 - a. (Applicable to freestanding signs only) An accurate plot plan of the lot(s) at such scale as the Building Official may require the following information illustrated:
 - i. The general location of buildings, parking lots, driveways, and landscaped areas on such lot; and
 - ii. An accurate indication on the plot plan of the proposed location of each existing and proposed sign of any type.
 - b. A depiction of all proposed permanent signs with the following information provided:
 - i. Computation of the maximum total sign face area, the maximum sign face

- area for individual signs, the height of signs, and the number of freestanding signs, including electronic message signs, if applicable, allowed on the lot under this chapter; and
- ii. An accurate depiction of the sign structure and materials; and
 - iii. Proposed illumination (external, internal, etc.), including illumination levels; and
 - iv. Demonstrate compliance with applicable provisions of the most recently adopted edition of NFPA 70: National Electrical Code.
- c. In addition to subsection a. and b. above, the following shall be required for a Master Signage Plan related to Subdivision Entrance Signs.
- i. An indication and description of any nonconforming or unlawful signs existing on-site, as applicable;
 - ii. An allocation of sign face area(s) for all freestanding signs and incidental signs for all Lot(s) and tenant spaces.
 - iii. Demonstration of compliance with the Subdivision Entrance Sign spacing.
 - iv. Proposed landscaping, ornamental structures including fences, fountains, public art, ground cover, and other landscaping elements, as applicable.
- (2) Pursuant to the Building Code, Appendix H, plans required for issuance of a building permit for a sign shall be certified as to conformance with all structural and wind-load resistive standards of the Building Code by a qualified structural engineer, or be prepared using standard drawings prepared by a structural engineer or other qualified professional meeting or exceeding all requirements of the Building Code, Appendix H.
- (3) Additional information may be required by the Building Official in accordance with the International Building Code, Section 105.3.
- (C) Fees. Each application for a sign permit or approval of a Master Signage Plan shall be accompanied by the applicable fees, which shall be established by the City Council from time to time by ordinance.
- (D) Review and Action. Within ten (10) business days of the submission of a complete application for a sign permit, the Building Official shall either:
- (1) Issue the sign permit, if the sign(s) that is the subject of the application conforms in every respect with the requirements of this chapter and of the applicable Master Signage Plan; or
 - (2) Reject the sign permit if the sign(s) that is the subject of the application fails in any way to conform to the requirements of this chapter and of the applicable Master Signage Plan. In case of a rejection, the Building Official shall specify in the rejection the sections of this chapter or applicable plan with which the sign(s) is inconsistent.
- (E) Master Signage Plan.
- (1) Applicability. Residential and Non-Residential Subdivision Entrance Signs shall be subject to an approved Master Signage Plan.
 - (2) Review and Action. On any application for approval of a Master Signage Plan, the Building Official shall either approve the proposed plan if the sign(s) as shown on the plan and the plan itself conforms in every respect with the requirements of this chapter,

or reject the proposed plan if the sign(s) as shown on the plan or the plan itself fails in any way to conform with the requirements of this chapter. In case of a rejection, the Building Official shall specify in the rejection the sections of this chapter with which the plan is inconsistent.

- (3) **Binding Effect.** After approval of a Master Signage Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and may be enforced in the same way as any provision of this chapter. In case of any conflict between the provisions of such a plan and any other provision of this chapter, this chapter shall control.
 - (4) **Amendment.** Prior to the expiration of the Master Signage Plan, the applicant may apply for an amendment that alters the design, materials, locations, placements, orientations, and specifications of the signs. The Building Official may approve the amended Master Signage Plan if it is consistent with this Section, and does not increase the area or height of any freestanding or wall sign subject to the original Master Signage Plan.
 - (5) **Duration; Expiration.** An approved Master Signage Plan shall expire two (2) years from the date of such approval if no progress has been made towards completion of the project.
- (F) **Inspection.** The Building Official shall cause an inspection of the Lot for which each permit is issued during the sixth month after the issuance of such permit or as such earlier date as the owner may request. If the construction is not substantially complete at the time of inspection, the permit shall lapse and become void. If the construction is complete and in full compliance with this chapter and with the building, sign, and electrical codes, the Building Official shall issue a passed inspection. If the construction is substantially complete but not in full compliance with this chapter and applicable codes, the Building Official shall give the owner or applicant notice of the deficiencies and allow additional time from the date of inspection for the deficiencies to be corrected. If the deficiencies are not corrected by such date, the permit shall lapse at 180 days from the inspection date. If the construction is then complete, the Building Official shall issue a passed inspection.
- (G) **Sign Variances and Appeals.** Any applicant may submit a variance or appeal a denial of a permit by the Building Official to the Planning and Zoning Commission by filing a request pursuant to Section 154.800.

§ 154.200 PROHIBITED SIGNS.

§ 154.201 SIGNS ON PUBLIC PROPERTY OR IN THE PUBLIC RIGHT-OF-WAY.

- (A) No signs shall be allowed on public property or in the public right-of-way, except for those specifically licensed or permitted by the City.
 1. **Sign forfeiture.** Any sign installed or placed in violation of this section, shall be forfeited to the public and subject to confiscation.
- (B) **License Agreement.** Except as preempted by State law, the City may allow for the placement or suspension of signs, within or above the City's public right-of-way through a license agreement pursuant to Chapter 96, Right-Of-Way Management of the Code of Ordinances.

§ 154.202 SIGNS PROHIBITED UNDER THIS CHAPTER.

All signs not expressly permitted under this chapter, or exempt from regulation pursuant to Section 154.004, are prohibited in the city or its extraterritorial jurisdiction. Such prohibited signs include,

but are not limited to:

- (A) Abandoned signs, with the exception of freestanding signs where items of information shall be removed and the sign display area left so that it does not indicate the former use;
- (B) Bandit Signs;
- (C) Beacons or flashing signs;
- (D) Obscene signs;
- (E) Wind Device Signs, such as Feather Signs and Festoons;
- (F) Inflatable signs and tethered balloons;
- (G) Moving signs;
- (H) Billboards;
- (I) Off-premises signs, except for those specifically permitted by this Chapter or licensed by the City in accordance with Chapter 96, Right-Of-Way Management of the Code of Ordinances;
- (J) Roof signs and integral roof signs;
- (K) Interior or internally illuminated fabric awning signs;
- (L) Commercial Messages shall be prohibited on street furniture, such as bus shelters, trash receptacles, directional kiosks, and benches;
- (M) Merchandise, equipment, products, or other items which are not available for purchase or rental, but are intended to attract attention, or for the identification or advertising purposes; and
- (N) Vehicle Signs, except as provided in Section 154.203 of this Chapter;
- (O) Human Signs except as authorized by Chapter 111 Peddlers and Solicitors of the Code of Ordinances;
- (P) Except as expressly permitted by this Chapter, authorized by the City, preempted by State law, signs, posters, or outdoor advertising placed in the public right-of-way or attached to any public property, including but not limited to, electric poles, utility poles, fire hydrants, meters, and public facilities are prohibited;
- (Q) Signs which obstruct the sight triangle; and
- (R) Any sign which emits audible sound, odor, smoke, steam, laser or hologram lights, or other visible matter, including any sign that employs any stereopticon or motion picture projection.

§ 154.203 VEHICLES OR EQUIPMENT USED SOLELY AS SIGNS.

Signage is allowed on a truck, bus, car, or other motorized vehicle or equipment provided all the following criteria are met:

- (A) The primary purpose of such vehicle or equipment is not the display of signs;
- (B) Signs are painted upon and applied directly to an integral part of the vehicle or equipment;
- (C) Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets when applicable, and actively used in the daily function of the business to which such signs relate;
- (D) Vehicles and equipment are not used primarily as static displays advertising a product or service; and
- (E) During periods of inactivity exceeding five (5) working days, such vehicle/equipment is not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment utilized in active construction projects and on-premises storage of equipment and vehicles offered to the general public for rent or cars shall not be subjected to this condition.

§ 154.300 MEASUREMENT; PERMITTED SIGN STANDARDS; CONDITIONS.

§ 154.301 SIGN MEASUREMENT METHODOLOGY.

- (A) Sign Area of Individual Signs.

(1) Single-faced.

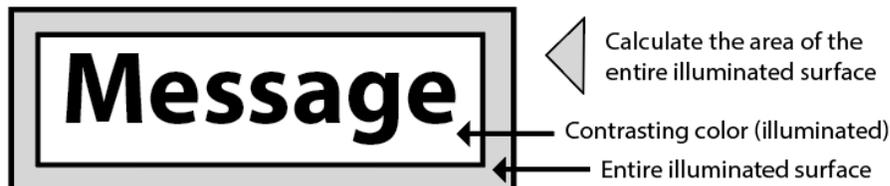
- a. For a sign composed of one sign face, the sign area shall be determined based on the outer dimensions of the frame surrounding the sign face, but excluding the sign structure supporting the sign unless it is part of the communication of the sign or used to differentiate it. In the case of a freestanding sign that includes blank spaces or sign cabinets with the intention of adding wording in the future, the blank spaces shall be included in measuring the sign area.



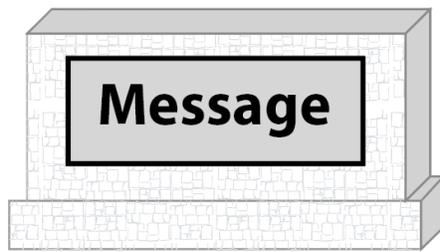
- b. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.



- c. Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure is measured as the entire illuminated surface or illuminated element which contains sign copy. Such elements may include, but are not limited to, lit canopy fascia signs, and/or cabinet signs.

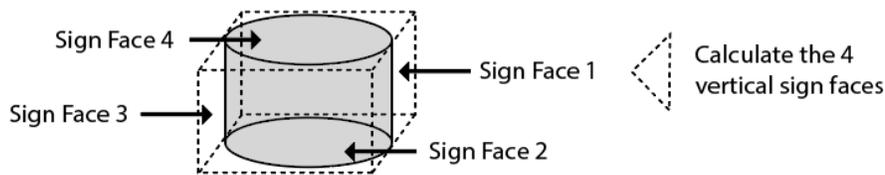


- (2) Multi-faced. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the sign area shall be computed by the measurement of one of the faces.



Double-sided: Calculate the outer dimensions of all sign faces, excluding the sign structure, visible from any one point counts as one sign face.

- (3) Non-planar. Spherical, free-form, sculptural, or other non-planar sign area is fifty percent (50%) of the sum of the areas using only the four (4) vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. Signs with greater than four (4) faces are prohibited.

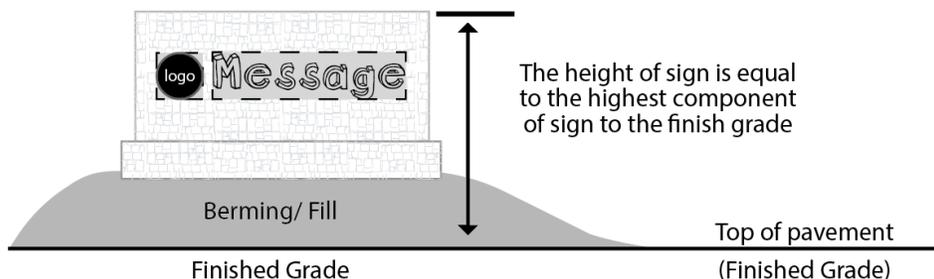


(B) Maximum Total Permitted Sign Area for a Lot.

The permitted sum of the area of all individual signs on a lot shall be computed by applying the formula contained in Sections 154.303 through 154.305 (Tables A2, B2, and C2), maximum total sign area, to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted sign area for each street frontage, with signs facing a maximum of two streets. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign allocation that is derived from the lot, building, or wall area frontage on that street.

(C) Sign Height.

The height of a sign shall be computed as the distance from the base of the sign, at finished grade, to the top of the highest attached component of the sign. The finished grade of a sign's location from which the height is measured shall be exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases where the finished grade cannot reasonably be determined, sign height shall be measured on the assumption that the finished grade at the base of the sign is equal to the nearest pavement or top of any pavement curb.



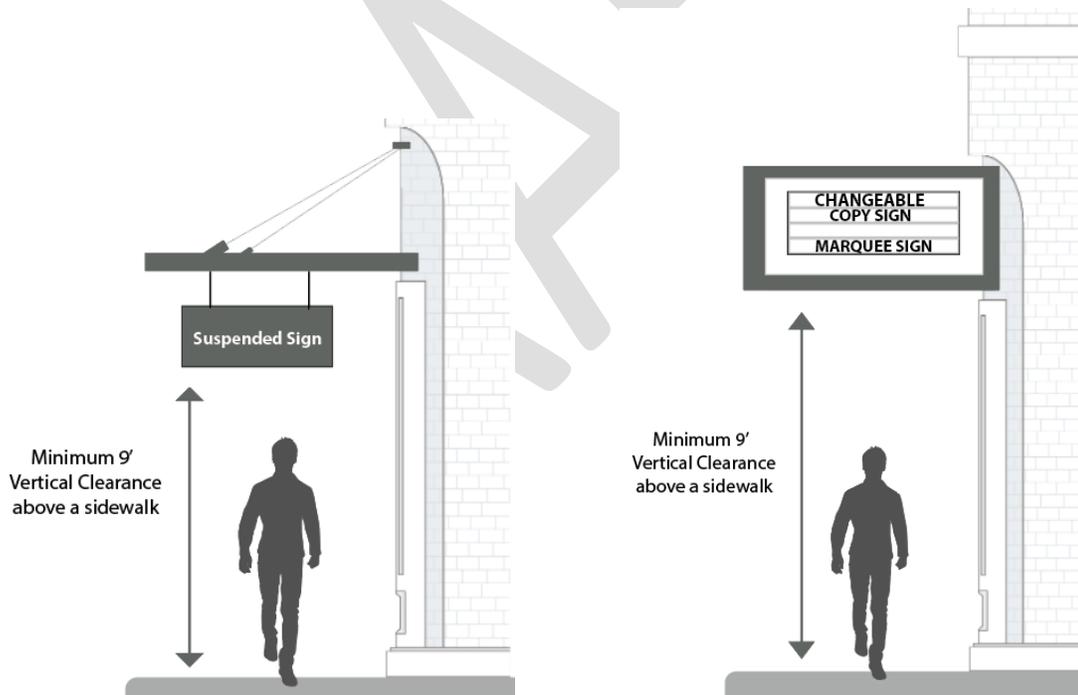
(D) Sign Setback.

- (1) Temporary Signs shall have a minimum setback of 2' from all property lines.

- (2) Permanent Signs shall have a minimum setback of ten (10) from a street, public right-of-way line. Permanent signs shall not be located within a public utility easement unless a license to encroach agreement has been executed.
- (3) All other sign types not addressed above in subsection (1) and (2) shall have a minimum setback of five (5') feet from all property lines.
- (4) Signs shall not be in conflict with the sight triangle.

(E) Sign Clearance.

- (1) Vertical Clearance for signs shall be measured at the shortest vertical distance between the grade of the adjacent street curb or sidewalk and the lowest point of any sign, including framework and embellishments, but excluding sign supports. The minimum required vertical clearance is at least 9 feet above any sidewalk and at least 14 feet above a vehicular travel lane, which includes street, public rights-of-ways and private drive aisles.
- (2) Freestanding sign display areas and sign lighting system equipment shall be at least 14 feet above areas accessible to vehicles.
- (3) All signs shall maintain a minimum clearance from electric power lines of ten feet horizontally and 15 feet vertically or as otherwise may be required by the utility provider. Any relocation of power lines to provide this clearance will be at the expense of the sign owner.



§ 154.302 PERMITTED SIGN TYPES; CONDITIONS.

(A) General Standards.

All signs shall be designed, constructed, and maintained in accordance with the following standards:

- (1) All signs shall comply with the sign standards pursuant to Section 154.300 et seq. unless

otherwise expressed in this Chapter. In addition to the standards provided in this Section 154.302, refer to Section 154.303 for permitted sign types by zoning district and dimensional sign standards for such signs.

- (2) All signs shall comply with applicable provisions of the adopted versions of Appendix H of the International Building Code, 2015 version, and the National Electrical Code, 2014 version.
- (3) Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- (4) All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this code, at all times.
- (5) No sign may be placed within a sight triangle.
- (6) All signs shall comply with the sign area, sign height, and vertical clearance calculation methodology pursuant to Section 154.301.

(B) Subdivision Entrance Signs.

(1) General.

- a. Master Signage Plan Required. A Subdivision Entrance Sign shall be subject to an approved Master Signage Plan.
- b. Permit Required. A sign permit is required for all subdivision entrance signs.
- c. Perpetual Maintenance. The developer shall provide sufficient documentation for the perpetual maintenance of such signs by the homeowner's association or similar entity before a permit will be issued for such signs.
- d. License Agreement. The city may enter into a license agreement to permit a subdivision entrance sign to be located within the public right-of-way. The license agreement shall be in a form acceptable to the City. Refer to Chapter 96. Right-Of-Way Management of the Code of Ordinances for license agreement procedures, conditions, and limitations.

(2) Residential Subdivision Entrance Signs.

A Residential Subdivision Entrance Sign shall be permitted for each major project entrance into a legal recorded, multi-lot, multi-sectioned, master-planned residential subdivisions, and condominium developments and contains only the name of the subdivision with no other information. There are three types of permitted Residential Subdivision Entrance Signs, (1) primary, (2) secondary, and (3) tertiary. Residential Subdivision Entrance Signs shall comply with the general specifications and the conditions and limitations for primary, secondary, and tertiary subdivision entrance signs. The number and area of signs established in this section apply to the overall subdivision, and the allowance for secondary and tertiary signs does not apply separately to each individual subdivision phase or section. All Residential Subdivision Entrance Signs shall comply with the following specifications, conditions, and limitations:

a. General Standards

- i. Sign Type. Residential Subdivision Entrance Signs shall be wall-mounted or monument signs constructed of stone, brick, or other maintenance-free masonry materials. The design and construction shall be compatible with surrounding development.
- ii. Illumination. Lighting shall be ground-mounted lights, downcast lights attached to the top of the sign where such lighting is focused directly on

the sign face, or backlit with halo illumination. Internal Illuminated Signs and Electronic Message Center Signs (EMC) are not permitted.

- iii. Landscaping. Subdivision Entrance Signs shall provide an irrigated, landscaped area equal to twice the area of the sign face, providing one five-gallon shrub for every ten square feet of landscaped area.
- iv. Maximum Area and Height Standards. All Subdivision Entrance Signs shall comply with the maximum area and height standards pursuant to Table 154.302 B1. Signage may appear on both sides of the entrance roadway within the recorded or master-planned subdivision. The maximum allowable sign face size limitations will apply separately to each side of the street.

Table. 154.302 B1. Subdivision Entrance Signs Maximum Area and Height Standards					
Subdivision Entrance Type	Maximum Sign Face Area of Individual Sign				Maximum Height
Primary Entrance (Sign Size By Road Type or Downtown Overlay District)	SH 130 / SH 45 Frontage Road	Arterial Street	Collector Street	Downtown District Overlay	8'
	100 S.F.	72 S.F.	64 S.F.	32 S.F.	
Secondary	Maximum 16 S.F.				5'
Tertiary	Maximum 12 S.F.				5'

- b. Primary Subdivision Entrance Signs. Primary Entrance Signage is permitted at only one (1) entrance for each subdivision, except that a second location for Primary Subdivision Entrance Signage shall be permitted if two (2) entrances to the subdivision are located on two (2) different arterial roadway intersections, as designated in the Pflugerville Transportation Master Plan, or subdivision boundaries. In such case, primary entrance signage may be placed at each of the arterial roadway entrances in accordance with this Chapter. When signage is incorporated into a subdivision perimeter wall, landscape or architectural feature, in addition to the allowed signage on both sides of a street, a third location may be permitted within a landscaped median of the subdivision entrance street when authorized by a license agreement. The maximum square footage of primary subdivision entrance signage allowed may be distributed between the three (3) signs, so that no one sign exceeds the maximum sign area allowed. A subdivision primary entrance sign must be located within the subdivision or at an off-premise location adjacent to an arterial roadway within three hundred (300) feet of a residential subdivision section within the master-planned development.
- c. Secondary Entrance Signs. Secondary Entrance Signs may be placed at entrances into the subdivision other than at the primary entrance. They shall be placed at an on-premise location within the subdivision. Such signage shall not be placed in the right-of-way and is not eligible for a license agreement to encroach into the right-of-way.
- d. Tertiary Entrance Signs. Tertiary Entrance Signs are located at the entryway into sections within the subdivision and are permitted only in master-planned developments that exceed one hundred (100) acres. They shall be placed at an on-premise location within the subdivision. Such signage shall not be placed in the

right-of-way and is not eligible for a license agreement to encroach into the right-of-way. They are used to identify various sections of the subdivision in order to enhance wayfinding within the subdivision.

(3) Non-Residential Subdivision Entrance Signs.

A Non-Residential Subdivision Entrance Sign shall be permitted for each major project entrance into a legal recorded, multi-lot, multi-sectioned, master-planned non-residential subdivisions totaling at least 50 acres or more and such subdivision shall have at least 1,000 linear feet of Street Frontage, provided such sign shall comply with the general specifications and the conditions and limitations of this section. The number and area of signs established in this section apply to the overall subdivision, and does not apply separately to each individual subdivision phase or section. All Non-Residential Subdivision Entrance Signs shall comply with the following specifications, conditions, and limitations:

- a. Sign Type. Non-Residential Subdivision Entrance Signs shall be monument or pylon signs constructed of stone, brick, or other maintenance-free masonry materials.
- b. Illumination. Electronic Message Center Signs (EMC) shall not be permitted.
- c. Landscaping. Non-Residential Subdivision Entrance Signs shall provide an irrigated, landscaped area equal to twice the area of the sign face, providing one five-gallon shrub for every ten square feet of landscaped area.
- d. Maximum Area, Height, and Spacing Standards. All Non-Residential Subdivision Entrance Signs shall comply with the maximum area, height, and spacing standards pursuant to Table 154.302 B2. The maximum allowable sign face size limitations will apply separately to each side of the street.

Table. 154.302 B2. Non-Residential Subdivision Entrance Signs Maximum Area, Height, and Spacing Standards			
Street Type	Maximum Sign Face Area of Individual Sign	Maximum Sign Height	Spacing between Subdivision Entrance Signs¹
SH 130 / SH 45 Frontage Road	200 S.F.	25'	1,000
Arterial Street	100 S.F.	10'	1,000
Collector Street	N/A	N/A	N/A
Local	N/A	N/A	N/A
Footnotes:			
1. A Non-Residential Subdivision Entrance Sign shall be located at least 1,000 linear feet from another Non-Residential Subdivision Sign or an existing Billboard, as measured along the street frontage.			

(C) Freestanding Signs.

- (1) Monument Signs Required. Unless otherwise permitted by this Chapter, all permanent, freestanding signs must be Monument Signs and integrated into a masonry structure consisting of a minimum of 50% of the total square footage of the face of the sign. The

maximum masonry material incorporated into the structure must not exceed 150% of the total square footage of the face of the sign. Other materials may be utilized in the sign structure as long as the masonry requirements are met, and the structure is comprised of materials and a color scheme that is visually and aesthetically compatible with the overall project.

- (2) Monument and Low-Profile Pole Sign Limitations in the Downtown Core Sub-district of the Downtown District Overlay.
- a. Generally, Monument Signs and Low-Profile Pole Signs are discouraged in the Downtown Core Sub-district and are only allowed under limited conditions.
 - b. In the Downtown Core Sub-district, freestanding, Monument Signs and Low-Profile Pole Signs are only permitted in the following scenarios: 1.) Low-Profile Pole Signs are allowed in front of residences that have been converted to commercial uses provided it meets the conditions provided in subsection (2)c below, or 2.) Except as limited above, Monument Signs are permitted to identify businesses in buildings not visible from the street provided that such placement of the sign does not encroach into the required streetscape yard and build-to-line area required by Ch.157 Unified Development Code, Subchapter 4, Section 4.5.1.
 - c. A Low-Profile Pole Sign may be allowed at the discretion of the Building Official, where such sign demonstrates compatibility with the principal structure, and neighboring buildings, and the character of the Downtown District Overlay and its respective Sub-district. Compatibility shall be demonstrated by accounting for the:
 - i. Principal structure's architectural style; and
 - ii. Simplicity of message by limiting the sign copy to the name, address, function and logo of the establishment; and
 - iii. Shall not exceed eight (8) square feet.



(3) Temporary Freestanding Signs. Refer to Subsection (E).

(D) Building Signs.

- (1) Building Marker. A Building Marker is allowed without a permit provided it meets the following standards:
 - a. Building Markers are limited to one (1) per building and a maximum of 4 square feet; and
 - b. Building Markers shall only be cut or etched into masonry, bronze, or similar material.
- (2) Canopy/Awning. Canopy/Awning signs shall comply with the following standards:
 - a. Canopy and Awning signs shall be limited to one (1) per building and a maximum

coverage of 25% of the canopy and awning; and

- b. Canopy and Awning signs shall comply with the vertical clearance requirements pursuant to Section 154.301 (E).
- (3) Marquee / Projecting. Marquee and Projecting signs shall comply with the following standards:
- a. Marquee and Projecting signs are limited to one (1) per building and a maximum of 40 square feet.
 - b. Marquee and Projecting signs shall comply with the vertical clearance requirements pursuant to Section 154.301 (E).
 - c. Marquee and Projecting signs shall not extend more than 36 inches perpendicularly from the face of the building. The maximum distance between the projecting sign and the face of the building shall not exceed one foot.
 - d. If such Marquee or Projecting sign is proposed above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner entering into a license agreement with the City pursuant to Section 154.201, and:
 - i. Obtaining and maintaining in force liability insurance for such a sign and such amount as the Building Official may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000.00 per occurrence per sign, whereby the City shall be named as additional insured/or insured, as its interest may appear; and
 - ii. The sign owner shall agree to indemnify and hold harmless the city, its members, agents, officers and employees, their successors and assigns, individually or collectively, from and against all liability pursuant to the license agreement.
- (4) Suspended. Suspended signs shall comply with the following standards:
- a. Suspended signs are limited to one (1) per building entrance, and
 - b. Suspended signs shall comply with the vertical clearance requirements pursuant to Section 154.301 (E).
 - c. If such Suspended sign is proposed above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner entering into a license agreement with the City pursuant to Section 154.201, and:
 - i. Obtaining and maintaining in force liability insurance for such a sign and such amount as the Building Official may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000.00 per occurrence per sign, whereby the City shall be named as additional insured/or insured, as its interest may appear; and
 - ii. The sign owner shall agree to indemnify and hold harmless the city, its members, agents, officers and employees, their successors and assigns, individually or collectively, from and against all liability pursuant to the license agreement.
- (5) Wall Signs.
- a. Signs shall be mounted to a building so that the attachment device shall not be visible or discernible. Wall signs exceeding 16 square feet of sign display area shall not be a single, flat surface. Wall signs shall be constructed of rigid materials such as wood, metal, and plastic, or an equivalent material. Where internally lit

signs are permitted, tag lines and pan-faced signs shall be permitted as wall signs. No plastics of any kind are permitted on wall signs in the Downtown District Overlay with the exception of high-density urethane or similar coated product or vinyl coatings used as a paint equivalent.

- b. Building wall signs may be placed on any portion of the building wall, but may not exceed the height of the wall.
 - c. Pursuant to Tables A3, B3, and C3 in Sections 154.303 through 154.505, the percentage calculation of building wall signage shall be based upon each building facade fronting a public right-of-way. Regardless of the maximum wall area percentage, for buildings with multiple tenant spaces, each tenant space is entitled to a wall sign of at least twenty (20) square feet.
 - d. In the Downtown Core Subdistrict of the Downtown District Overlay, wall signs shall be located within a sign band when one exists, usually above the transom. Where a sign band does not exist, the wall sign shall be located between the first floor transom and the second floor windowsill or below the eaves/cornice on a one-story building.
- (6) Window Signs. Window signs are allowed without a permit for up to 10% of window coverage. Coverage of more than 10% requires a sign permit. Window coverage shall be limited to 25% of the total window area; however, the Building Official may issue a temporary sign permit to allow for up to 100% window coverage if such tenant space is unoccupied, and such temporary sign permit may be issued up to 6 months and may be extended by the Building Official, at their discretion. In the Downtown Core Sub-district of the Downtown District Overlay, lettering shall only be hand-painted directly on glass, etched in glass, or applied with vinyl, die-cut letters.

(E) Temporary Signs

(1) General.

Temporary signs on property not exempted from regulation by section 154.004 shall be allowed only upon the issuance of a temporary sign permit unless otherwise stated in this section or elsewhere in this Chapter, which shall be subject to the following requirements:

- a. Permit Applicability. Refer to Sections 154.303 through 154.305, Tables A1, B1, and C1 and the subsections below for permit applicability. A Temporary Sign measuring four square feet or less and no taller than 3 feet in height shall not require a permit.
 - b. Term. A temporary sign permit shall allow the use of a temporary sign for a specified 30-day period, except as provided by subsection (E)(4) Exemptions.
 - c. Number. Only two (2) temporary signs shall be placed on a non-residential and a multi-family zoned lot, except as provided by subsection (E)(4) Exemptions, where additional temporary signs may be installed without a temporary sign permit.
 - d. Other conditions. Other conditions related to specific types of temporary signs, including banners and portable signs shall be limited to the provisions of this section and the subsections provided below.
- (2) Banner. Banners shall meet the following standards:
- a. Permit Required. A temporary sign permit application and fee shall be required for the display of all Banners. An application may be submitted annually.
 - b. Banners Suspended above the Street Right-of-Way. At City approved locations,

banners suspended above the street right-of-way shall contain no commercial message and shall require a temporary sign permit.

- c. Time and Duration. With the exception of a Banner affixed to a fence used to screen construction activities, a Banner shall not be displayed for a period exceeding thirty (30) consecutive calendar days per permit with a maximum of six (6) separate permits issued in any consecutive 12-month period.
 - d. Size Limitations.
 - i. With the exception of a Banner affixed to a fence used to screen construction activities, a Banner shall not exceed 16 square feet in area unless the tenant frontage onto which the banner shall be placed exceeds 80 linear feet, then a banner may have a maximum area of 40 square feet.
 - ii. In the Downtown District Overlay, a banner shall be no larger than 16 square feet in area with the exception of a Banner approved by the City to be suspended over the right-of-way.
 - e. Maintenance. Banners shall not be tattered, torn, or faded and shall remain tautly attached.
- (3) Portable Signs. Portable Signs are allowed without a temporary sign permit pursuant to Section 154.300 et seq., provided such portable signs comply with the following standards:
- a. One Portable Sign per business is permitted.
 - b. The sign shall not encroach in the public right-of-way unless otherwise authorized by the City.
 - c. If the sign is located on a sidewalk, the sign shall be placed in such a manner so not to interfere with pedestrians or opening of parking car doors.
 - d. The sign shall be placed so as to maintain a minimum four-foot pedestrian walkway.
 - e. The sign shall be placed in front of a storefront during business hours only.
 - f. The sign shall maintain a clear building ingress and egress.
 - g. The sign shall not obstruct any loading zone.
 - h. The sign shall not be placed within six feet of any street intersection or within a sight triangle.
 - i. Portable Signs shall be no less than three feet and no more than four feet high.
 - j. Portable Signs shall be no less than 18 inches and no more than two feet wide.
 - k. Portable Signs shall not have additional signs taped or attached to the top or base sign.
 - l. The individual sign faces of the portable signs shall be limited to 6 square feet each.
 - m. Portable Signs shall be kept in good repair at all times.

(4) Exemptions

- a. Temporary Signs During Construction. Up to two (2) additional Temporary Signs may be placed on construction sites without a permit, provided such signs shall not exceed 64 square feet in area after approval of a site plan or building permits, as applicable, and/or which do not remain erected for more than seven days after the completion of the construction project.
- b. Temporary Signs During Residential Construction. Temporary Signs may be erected on a residential lot during a time period the home is being used as a model

for the construction of new residential homes without a permit, provided such signs shall not exceed 32 square feet in area and eight feet in height.

- c. Temporary Signs for Sites Actively for For Sale or Lease. Up to two (2) additional Temporary Signs may be placed on a multi-family or non-residential lot without a permit during time periods when the property on which the signs are located is for sale or lease, provided such signs shall not exceed 32 square feet in area and 8 feet in height, and such signs do not remain for more than seven days after the property is sold or leased.

(F) Miscellaneous.

- (1) Incidental Signs. An Incidental Sign is allowed without a permit provided it meets the following standards:
 - a. No commercial message of any kind allowed on the sign;
 - b. Is no greater than 3 feet in height and 6 square feet in area; and
 - c. Is completely internal to a development where it is not visible from the public right-of-way.
- (2) Commercial Flags. Commercial Flags shall comply with the following standards:
 - a. Number, Area, and Height Standards:
 - i. A Commercial Flag shall only be permitted on a non-residential lot totaling a minimum of 5 acres and shall be restricted to certain zoning districts per Tables A1, B1, and C1.
 - ii. Only one (1) Commercial Flag is permitted per lot.
 - iii. A Commercial Flag shall not exceed 60 square feet in area and shall not be flown from a pole greater than 40 feet in height.
 - b. A Commercial Flag shall require a permit.
- (3) Non-Commercial Flags. Non-Commercial Flags shall comply with the following standards:
 - a. Number, Area, and Height Standards:
 - i. On a residential zoning district (or use) lot, up to two Non-Commercial Flags and one flagpole shall be permitted per premises. Each Non-Commercial Flag must be a maximum of fifteen (15) square feet in area. The flag pole must be a maximum of twenty (20) feet in height or no higher than the highest point of the principal building's structure's roof, whichever is lower. Flag poles shall meet the minimum yard setback requirements for a principal structure.
 - ii. On a non-residential zoning district (or use) lot, a Non-Commercial flag shall not exceed 60 square feet in area and shall not be flown from a pole greater than 40 feet in height. No more than three (3) non-commercial flags shall be permitted on a lot.
 - b. A Non-Commercial Flag is allowed without a permit provided it complies with the standards of this section; however, flag poles greater than 20 feet shall require a permit to ensure conformance with all structural and wind-load standards of the Building Code.

- (4) Electronic Message Center Signs. Electronic Message Center signs (EMC) shall comply with the standards provided within this subsection.
- a. Applicability. EMCs shall be permitted for on-premises use in the corporate city limits and extraterritorial jurisdiction along thoroughfares identified as an Arterial Street or a Collector Street in the Master Transportation Plan due to the anticipated built environment along such thoroughfares.
 - b. Sign Type, Dimensional, and Spacing Standards.
 - i. EMCs shall only be located on monument signs with an electronic sign face no larger than thirty (30) square feet along an Arterial Street and sixteen (16) square feet along a Collector Street in accordance with this chapter.
 - ii. Be limited to one (1) per lot located no closer than 200 feet from another EMC.
 - iii. Be limited to eight (8) feet in height.
 - c. Location Limitations.
 - i. EMCs shall be located at least 150 feet from the front or side property line of a parcel zoned or used for a single-family residence.
 - ii. EMCs shall be limited to the zoning district(s) pursuant to Section 154.303 through 154.305, with the exception of publicly-owned land and facilities where such signage is permitted provided it meets the other requirements of this section and limitations in residential areas pursuant to Section 154.303.
 - d. Prohibited Locations.
 - i. EMCs shall be prohibited in the Downtown District Overlay and Downtown Sub-Districts, as applicable. Refer to Section 154.305.
 - ii. Nonconforming signs are prohibited from converting its sign faces to EMCs, unless such nonconforming sign is improved, modified, or relocated to bring such into conformance with the Code, as amended.
 - iii. Existing Billboards are strictly prohibited from converting their sign faces to EMCs.
 - e. Variable Message Display Limitations and Conditions.
 - i. An EMC digital display shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or results in a nuisance to the driver.
 - ii. An EMC digital display shall not be configured to resemble a warning or danger signal or to cause a driver to mistake the digital sign for a warning or danger signal.
 - iii. An EMC digital display shall not resemble or simulate any lights or official signage used to control traffic in accordance with the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration (FHWA), as amended.
 - iv. EMCs shall not change the message more frequently than every sixty (60) seconds.
 - v. EMCs shall not be animated, flash, or scroll or display an image in motion. Transitions shall be static/instant, with a transition time of one second or

less.

- vi. EMCs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

f. Footcandle Illuminance Limitations.

- i. All EMCs shall be illuminated at a level no greater than 0.3 footcandles over ambient light levels, and shall employ light cutoff devices such as, but not limited to, louvers in order to minimize light escaping above the horizontal plane. Footcandle measurements shall be taken perpendicular to the sign face of the EMC using the following formula:

Measurement distance =	$\sqrt{(\text{EMC Sign Display Area}) \times 100}$
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- ii. The illuminance of the EMC shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full-color capable EMC, or a solid message for a single-color EMC.
- iii. All EMCs shall have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night and shall be able to be adjusted to comply with the 0.3 footcandle measurements described above.

(G) Sign Illumination.

Where sign illumination is permitted pursuant to Tables A1, B1, and C1 in sections 154.303 through 154.305, the standards in this section shall apply.

- (1) Types of lighting permitted in Zoning Districts. Refer to Tables A1, B1, and C1 in sections 154.303 through 154.305. Temporary signs shall not be illuminated.
- (2) Light Trespass. No sign or associated luminaire shall create light spillover of more than 0.1 footcandles at any property line within or bounding a residential use or district.
- (3) Light Source Shielded. The light source, whether internal or external, shall be shielded from view or directed so that the light intensity or brightness is directed away from the public right-of-way or boundary of any residential zoning district or residentially used property. Ground-mounted external flood lighting shall be shielded and properly placed and directed to avoid direct visibility of the directed light to passing motorists.
- (4) Hazards. No sign shall be illuminated to such intensity or in such a manner so as to cause a glare or brightness to a degree that it constitutes a hazard or nuisance to vehicular traffic, pedestrians or adjacent sites.
- (5) Prohibited Illumination. An illuminated sign shall not:
 - a. Be illuminated by flashing, intermittent, rotating, or moving lights;
 - b. Include audio, pyrotechnic, or bluecasting (bluetooth advertising) components; or
 - c. Consist of a static image projected upon a stationary object.

- (6) Compliance with Electrical Code. Illuminated signs shall comply with all applicable provisions of the Electrical Code of the City. All electrical connections to the sign shall be placed underground. Electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall or integrated into the overall sign design. If raceways are necessary, they shall never extend in width or height beyond the area of the sign's lettering or graphics.
- (7) In the Downtown Core Sub-district of the Downtown District Overlay, sign illumination shall be external, downcast, full cutoff light fixtures; however, backlit signs/letters may be permitted provided the lighting is behind opaque signs/letters. Exposed neon lights are permitted in window signs only.

§ 154.303 RESIDENTIAL AND INSTITUTIONAL SIGN TYPES PER ZONING DISTRICTS.

(A) Permitted Signs by Type – Table “A1” Interpretation:

- (1) Allowed without sign permit = “A”. If the letter “A” appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column; however, such signs shall adhere to the requirements of maximum total sign area on-site and the number, dimensions, and location of individual signs on-site pursuant to Table A2 and A3. Special conditions may apply pursuant to Section 154.302.
- (2) Allowed only with sign permit = “P”. If the letter “P” appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply pursuant to Section 154.302.
- (3) Not Permitted = Blank. If no letter appears for a sign type in a column, such sign is not allowed in the zoning districts represented by that column under any circumstances.
- (4) Sign Characteristics. The characteristics of the sign shall conform to the limitations pursuant to Table A1.

Table A1. Permitted Signs by Type in Residential Zoning Districts, Institutional¹, and Residential Uses in the ETJ²										
Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS¹
Freestanding										
Monument	P						P	P	P	P
Temporary	A	A	A	A	A	A	P	P	P	P
Building										
Building Marker	A	A	A	A	A	A	A	A	A	A
Canopy/Awning										P
Marquee										P
Projecting										P
Suspended										P
Wall										P
Wall (Mural)										A
Window										P

Miscellaneous										
Banner										P
Commercial Flag										
Non-Commercial Flag	A	A	A	A	A	A	A	A	A	A
Portable										P
Sign Characteristics										
Electronic Message Center (EMC)										P
Changeable Copy										P
Illumination, Internal										
Illumination, External							P	P	P	P
Illumination, Exposed Bulbs or Neon										
<p>A = Allowed without sign permit, provided it complies with the conditions of this section 154.300 et seq. P = Allowed only with a sign permit.</p> <p>Footnotes:</p> <ol style="list-style-type: none"> <u>Institutional Uses in Residential Zoning Districts</u>. The “INS¹” column does not represent a zoning district. It applies to institutional purposes such as primary and secondary schools, churches, hospitals, institutions of higher education, and any governmental purpose. <u>Residential Uses in the Extraterritorial Jurisdiction (ETJ)</u>. For single-family uses, signage shall be in accordance with SF-S zoning district standards. For two-family uses, signage shall be in accordance with 2-F zoning district standards. For multi-family uses, signage shall be in accordance with MF-20 zoning district standards. For manufactured housing parks, signage shall be in accordance with MH zoning district standards. 										

(B) Maximum Total Sign Area – Table “A2”

The maximum total area of all signs on a lot except incidental, building marker, and flags shall conform to the requirements of Table A2.

Table A2. Maximum Total Sign Area Per Lot in Residential Zoning Districts, Institutional^a, and Residential Uses in the ETJ^b

The maximum total area of all signs on a lot except incidental, building marker, Mural, Temporary Signs^c, Subdivision Entrance Signs^d, and Non-Commercial Flags shall not exceed the greater of the following:

Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS ^a
Maximum Number of Total Square Feet	200	8	8	8	8	8	200	200	200	100
Percentage of Ground Floor Area of Principal Structure	2%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Square Feet of Signage Per Linear Foot of Street Frontage	1.0	N/A	N/A	N/A	N/A	N/A	0.5	0.5	0.5	0.5

Footnotes:

- a. Institutional Uses in Residential Zoning Districts. The “INS^a” column does not represent a zoning district. It applies to institutional purposes such as primary and secondary schools, churches, hospitals, institutions of higher education, and any governmental purpose.
- b. Residential Uses in the Extraterritorial Jurisdiction (ETJ). For single-family uses, signage shall be in accordance with SF-S zoning district standards. For two-family uses, signage shall be in accordance with 2-F zoning district standards. For multi-family uses, signage shall be in accordance with MF-20 zoning district standards. For manufactured housing parks, signage shall be in accordance with MH zoning district standards.
- c. Temporary Signs. Refer to Section 154.302 (E) for Temporary Sign regulations.
- d. Subdivision Entrance Signs. Refer to Section 154.302 (B) for Subdivision Entrance Sign regulations.

(C) Number, Dimensions, and Location of Individual Signs – Table “A3”

The size, location, and number of signs on the lot shall conform to the requirements of Table A3, which establishes permitted sign dimensions by sign type, and with any additional limitations.

Table A3. Number, Dimensions, and Location of Individual Signs in Residential Zoning Districts, Institutional^a, and Residential Uses in the ETJ^b

Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown in this table. Refer to Section 154.302 (E) for temporary sign regulations.

Permitted Sign Type	A	SF-E	SF-S	SF-R	SF-MU	2-F	MF-10	MF-20	MH	INS ^a
Freestanding										
Area (square feet)	72 ^c	6	6	6	6	6	72	72	72	72
Height (feet)	8 ^c	3	3	3	3	3	8	8	8	8
Number Per Lot Per Frontage	1	N/A	N/A	N/A	N/A	N/A	1	1	1	1
Building										
Area (max. square feet)	N/A	N/A	N/A	N/A	N/A	N/A	72 ^c	72 ^c	72 ^c	10
Wall Area (percent) ^d	10%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Wall Area (Mural)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Footnotes:

- a. Institutional Uses in Residential Zoning Districts. The “INS^a” column does not represent a zoning district. It applies to institutional purposes such as primary and secondary schools, churches, hospitals, institutions of higher education, and any governmental purpose.
- b. Residential Uses in the Extraterritorial Jurisdiction (ETJ). For single-family uses, signage shall be in accordance with SF-S zoning district standards. For two-family uses, signage shall be in accordance with 2-F zoning district standards. For multi-family uses, signage shall be in accordance with MF-20 zoning district standards. For manufactured housing parks, signage shall be in accordance with MH zoning district standards.
- c. Interpretation of Percentage. The wall area percentage shall mean the percentage of the building façade to which the sign is affixed. The building façade is an exterior side of a building, including all wall projections and recesses establishing an apparent wall plane visible at a specific standpoint.

§ 154.304 PUBLIC, COMMERCIAL, AND INDUSTRIAL ZONING DISTRICT SIGN STANDARDS

(A) Permitted Signs by Type – Table “B1” Interpretation:

- (1) Allowed without sign permit = “A”. If the letter “A” appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column; however, such signs shall adhere to the requirements of maximum total sign area on-site and the number, dimensions, and location of individual signs on-site pursuant to Table B2 and B3. Special conditions may apply pursuant to Section 154.302.
- (2) Allowed only with sign permit = “P”. If the letter “P” appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply pursuant to Section 154.302.
- (3) Not Permitted = Blank. If no letter appears for a sign type in a column, such sign is not allowed in the zoning districts represented by that column under any circumstances.
- (4) Sign Characteristics. The characteristics of the sign shall conform to the limitations pursuant to Table B1.

Permitted Sign Type	PF	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Freestanding												
Monument	P	P	P	P	P	P	P	P	P	P	P	P
Temporary ³	P	P	P	P	P	P	P	P	P	P	P	P
Building												
Building Marker	A	A	A	A	A	A	A	A	A	A	A	A
Canopy/Awning	P	P	P	P	P	P				P	P	P
Marquee	P	P	P	P	P	P	P	P	P	P	P	P
Projecting					P	P	P	P	P	P	P	P
Suspended	P	P	P	P	P	P	P	P	P	P	P	P
Wall	P	P	P	P	P	P	P	P	P	P	P	P
Wall (Mural)	A	A	A	A	A	A	A	A	A	A	A	A
Window	A	A	A	A	A	A	A	A	A	A	A	A
Miscellaneous												
Banner	P	P	P	P	P	P	P	P	P	P	P	P
Commercial Flag							P	P			P	P
Non-Commercial Flag	A	A	A	A	A	A	A	A	A	A	A	A
Portable	A										A	A
Sign Characteristics												
Electronic Message Center (EMC) ²	P				P							
Changeable Copy	P	P	P	P	P	P	P			P	P	P
Illumination, Internal	P	P	P	P	P	P	P	P	P		P	P
Illumination, External	P	P	P	P	P	P	P	P	P	P	P	P
Illumination, Exposed					P		P		P		P	P

Bulbs or Neon												
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A = Allowed without sign permit, provided it complies with the conditions of this section 154.300 et seq.
P = Allowed only with a sign permit.

Footnotes:

- Non-Residential Uses in the Extraterritorial Jurisdiction (ETJ). For non-residential uses in the ETJ, signage shall be in accordance with General Business-1 (GB1) zoning district standards. For residential uses in the ETJ, refer to Section 154.303.
- Electronic Message Center. Electronic Message Center (EMC) signs in the PF zoning district shall be limited to Institutional Purposes.
- Temporary Signs. Refer to Section 154.302 (E) for Temporary Sign regulations.
- Subdivision Entrance Signs. Refer to Section 154.302 (B) for Subdivision Entrance Sign regulations.

(B) Maximum Total Sign Area – Table “B2”
The maximum total area of all signs on a lot except incidental, building marker, and flags shall conform to the requirements of Table B2.

Table B2. Maximum Total Sign Area Per Lot in Public, Commercial, and Industrial Zoning Districts and Non-Residential Uses in the ETJ^a

The maximum total area of all signs on a lot except incidental, building marker, Mural, Temporary Signs^b Subdivision Entrance Signs^c, and Non-Commercial Flags shall not exceed the greater of the following:

Permitted Sign Type	PF	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Maximum Number of Total Square Feet	200	200	200	200	800	200	200	400	2,000	100	800	800
Percentage of Ground Floor Area of Principal Structure	6%	6%	2%	4%	10%	6%	6%	2%	2%	4%	10%	5%
Square Feet of Signage Per Linear Foot of Street Frontage	3.0	3.0	1.0	2.0	6.0	3.0	3.0	N/A	N/A	2.0	6.0	0.75

Footnotes:

- Non-Residential Uses in the Extraterritorial Jurisdiction (ETJ). For non-residential uses in the ETJ, signage shall be in accordance with General Business-1 (GB1) zoning district standards. For residential uses in the ETJ, refer to Section 154.303.
- Temporary Signs. Refer to Section 154.302 (E) for Temporary Sign regulations.
- Subdivision Entrance Signs. Refer to Section 154.302 (B) for Subdivision Entrance Sign regulations.

(C) Number, Dimensions, and Location of Individual Signs – Table “B3”
The size, location, and number of signs on the lot shall conform to the requirements of Table B3, which establishes permitted sign dimensions by sign type, and with any additional limitations.

Table B3. Number, Dimensions, and Location of Individual Signs in Public, Commercial, and Industrial Zoning Districts, and Non-Residential Uses in the ETJ^a

Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown in this table. Refer to Section 154.302 (E) for Temporary Sign regulations and 154.302 (B) for Subdivision Entrance Sign standards.

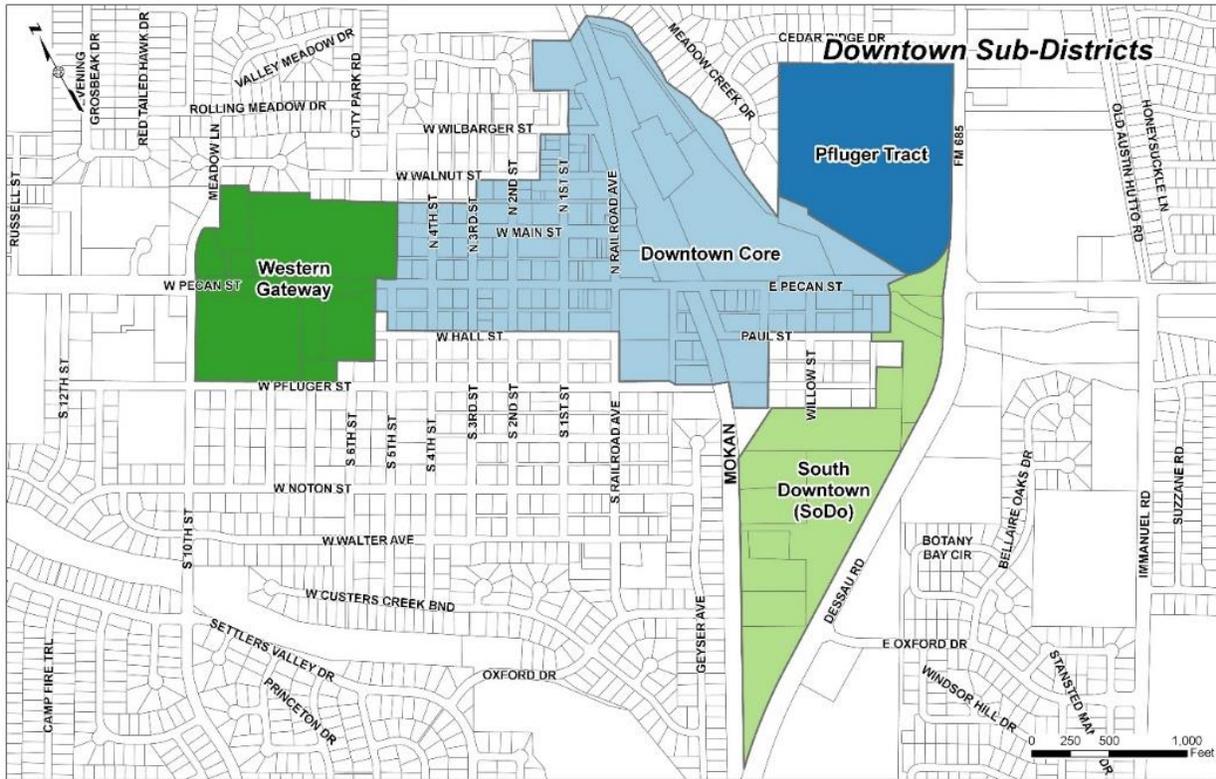
Permitted Sign Type	PF	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5
Freestanding												
Area (square feet)	72	72	72	72	72	72	72	72	72	72	72	72
Height (feet)	8	8	8	8	8	8	8	8	8	8	8	8
Number Per Lot Per Frontage	1	1	1	1	1	1	1	1	1	1	1	1
Building												
Wall Area (percent) ^b	15%	15%	10%	10%	10%	10%	10%	5%	5%	10%	10%	10%
Mural Wall Area	N/A											

Footnotes:

- a. Non-Residential Uses in the Extraterritorial Jurisdiction (ETJ). For non-residential uses in the ETJ, signage shall be in accordance with General Business-1 (GB1) zoning district standards. For residential uses in the ETJ, refer to Section 154.303.
- b. Interpretation of Percentage. The wall area percentage shall mean the percentage of the building façade to which the sign is affixed. The building façade is an exterior side of a building, including all wall projections and recesses establishing an apparent wall plane visible at a specific standpoint.

§ 154.305 DOWNTOWN DISTRICT OVERLAY SIGN STANDARDS

Signage in the Downtown District Overlay and Sub-districts, as shown in the map provided below, shall be governed under the standards provided in this section.



(A) Permitted Signs by Type – Table “C1” Interpretation:

- (1) Allowed without sign permit = “A”. If the letter “A” appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column; however, such signs shall adhere to the requirements of maximum total sign area on-site and the number, dimensions, and location of individual signs on-site pursuant to Table C2 and C3. Special conditions may apply pursuant to Section 154.302.
- (2) Allowed only with sign permit = “P”. If the letter “P” appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply pursuant to Section 154.302.
- (3) Not Permitted = Blank. If no letter appears for a sign type in a column, such sign is not allowed in the zoning districts represented by that column under any circumstances.
- (4) Sign Characteristics. The characteristics of the sign shall conform to the limitations pursuant to Table C1.

Table C1. Permitted Signs by Type in the Downtown District Overlay				
Permitted Sign Type	Downtown Core Subdistrict	Pfluger Tract Subdistrict	South Downtown Subdistrict	Western Gateway Subdistrict
Freestanding				
Residential Use	Refer to Base District	Refer to Base District	Refer to Base District	Refer to Base District

Monument	P	P	P	P
Low-Profile Pole Sign	P			
Temporary ¹	Refer to Base District			
Building				
Building Marker	A	A	A	A
Canopy and Awning	P	P	P	P
Marquee				
Projecting	P	P	P	P
Residential	Refer to Base District			
Suspended	P	P	P	P
Wall	P	P	P	P
Wall (Mural)	A	A	A	A
Window	A	A	A	A
Miscellaneous				
Banner	P	P	P	P
Commercial Flag				
Non-Commercial Flag	A	A	A	A
Portable	A	A	A	A
Sign Characteristics				
Electronic Message Center (EMC)				
Changeable Copy		Refer to Base District	Refer to Base District	Refer to Base District
Illumination, Internal		Refer to Base District	Refer to Base District	Refer to Base District
Illumination, External	P	Refer to Base District	Refer to Base District	Refer to Base District
Illumination, Exposed Bulbs		Refer to Base District	Refer to Base District	Refer to Base District
Illumination, Exposed Neon	P	Refer to Base District	Refer to Base District	Refer to Base District
<p>A = Allowed without sign permit, provided it complies with the conditions of this section 154.300 et seq. P = Allowed only with a sign permit.</p> <p>Footnotes:</p> <p>1. <u>Temporary Signs</u>. Refer to Section 154.302 (E) for Temporary Sign regulations.</p>				

(B) Maximum Total Sign Area – Table “C2”

The maximum total area of all signs on a lot except incidental, building marker, and flags shall conform to the requirements of Table C2.

Table C2. Maximum Total Sign Area Per Lot in the Downtown District Overlay				
The maximum total area of all signs on a lot except incidental, building marker, Mural, and Non-Commercial Flags shall not exceed the lesser of the following:				
Permitted Sign Type	Downtown Core Subdistrict	Pfluger Tract Subdistrict	South Downtown Subdistrict	Western Gateway Subdistrict
Maximum Number of Total Square Feet	16 S.F. Residential: Refer to Base District	Refer to Base District	Refer to Base District	Refer to Base District

- (C) Number, Dimensions, and Location of Individual Signs – Table “C3”
 The size, location, and number of signs on the lot shall conform to the requirements of Table C3, which establishes permitted sign dimensions by sign type, and with any additional limitations.

Table C3. Number, Dimensions, and Location of Individual Signs in the Downtown District Overlay.				
Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown in this table.				
Permitted Sign Type	Downtown Core Subdistrict	Pfluger Tract Subdistrict	South Downtown Subdistrict	Western Gateway Subdistrict
Freestanding				
Area (square feet)	8	Refer to Base District	Refer to Base District	Refer to Base District
Height (feet)	6	Refer to Base District	Refer to Base District	Refer to Base District
Number Per Lot	1	Refer to Base District	Refer to Base District	Refer to Base District
Building				
Wall Area (percent) ^a	10%	Refer to Base District	Refer to Base District	Refer to Base District
Wall Area (Mural)	N/A	N/A	N/A	N/A
a. <u>Interpretation of Percentage.</u> The wall area percentage shall mean the percentage of the building façade to which the sign is affixed. The building façade is an exterior side of a building, including all wall projections and recesses establishing an apparent wall plane visible at a specific standpoint.				

§ 154.400 RESERVED.

§ 154.500 DESTROYED NONCONFORMING SIGNS.

An existing Nonconforming Sign in the city limits or ETJ may not be repaired or rebuilt in the case of obsolescence or destruction by fire or other causes or is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign. In case of partial destruction based on the above referenced reasons where the cost of repairing the sign is less than sixty (60) percent of the cost of erecting a new sign of the same type at the same location, the Building Official may issue a "no fee" permit for the necessary repairs to be made to the sign. If the necessary repairs are not completed within sixty (60) days of the receipt of written notification to the applicant by the Building Official or the Building Official's designee, then the sign shall be removed either by the applicant or by the city at the applicant's expense. Criminal or civil penalties may also be initiated against the applicant as provided for in this Chapter. Under unusual circumstances and/or where the applicant has shown "good faith" in attempting to comply with the provisions of this Chapter, an extension period of thirty (30) days may be granted to the applicant to facilitate repairs. If the cost of rebuilding or repair of an existing Nonconforming Sign exceeds sixty (60) percent of the cost of erecting a new sign of the same type at the same location, the sign shall be removed at the applicant's expense. If the sign is not removed within thirty (30) days of written notification to the applicant, then it shall be removed by the city or its designated agent(s) at the applicant's expense. A sign so removed under the provisions of this section shall be kept in storage for a period of sixty (60) days, and if it is not claimed within said period, it may be disposed of in a lawful manner by the city.

§ 154.600 ABANDONED OR DISCONTINUED SIGNS.

An abandoned or discontinued sign is a sign that advertises a business or project that has ceased operations more than one (1) year, unless the property is leased, in which case the sign shall be removed after two (2) years. The applicant shall remove any sign and/or sign structure that has not been used for advertising or promoting a going concern for at least one (1) year. For the purposes of this section, a business or project has ceased to operate when it is no longer engaged in the sale of products or services in the normal course of business.

§ 154.700 MAINTENANCE OF SIGNS.

- (A) All signs in the city and ETJ shall be properly maintained in accordance with the adopted International Building Code. The Building Official shall have the authority to order the painting, repair, or removal of a sign which constitutes a hazard to the safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. The Building Official's decision shall be subject to the review of the Planning and Zoning Commission under the procedure for appeal of a decision under section 154.800(g). If within fifteen (15) days the maintenance orders are not complied with, the Building Official may order the sign removed at the owner's expense under the provisions of this Chapter.
- (B) It is an offense under this Chapter for an applicant to fail to maintain signs and sign structures in a good and sound condition as determined by the Building Official in accordance with the adopted International Building Code. Responsible parties must repair or replace signs and sign structures that are rotting, peeling, rusting, fading, becoming discolored, covered in dirt, or filled with holes. Responsible parties shall not allow signs or sign structures to become dangerous, within the meaning of the International Building Code, as a result of inadequate design, construction, repair, or maintenance. The city may seek to compel immediate removal of signs that are in such a state of disrepair as to constitute an imminent threat to

public health, safety, and welfare.

§ 154.800 VARIANCES AND APPEALS; CERTAIN AUTHORITY OF BUILDING OFFICIAL.

- (A) An applicant requesting a variance from this Chapter must file a request for variance with the Building Official along with a variance application fee, as stated in the City's most recent fee schedule. The Building Official will indicate what documentation the applicant must provide in support of the request.
- (B) Once the complete and necessary documentation has been provided to the Building Official, the Building Official shall review the request and make a determination based on the documentation provided by the applicant.
- (C) The Building Official may, in specific cases and subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Chapter will result in an Unnecessary Hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the city and its citizens in accomplishing the objectives of this Chapter:
 - (1) Permit a variance for a residential or non-residential sign of the setback, effective area, size of internal components of a sign so long as the total size of sign face and height requirements are compliant with this Chapter.
- (D) All other requests for variances shall be forwarded to the Planning and Zoning Commission for review and determination. After making its determination, the variance application may be appealed to the City Council. A determination as to approval may be made upon demonstration that at least four (4) of the following five (5) criteria are met:
 - (1) The literal enforcement of the sign regulations creates an Unnecessary Hardship on the applicant;
 - (2) The proposed sign shall not have a substantial adverse impact on the adjacent property (visibility, size and the like);
 - (3) The proposed sign shall be of a unique design or configuration;
 - (4) The variance is needed due to restricted area, shape, topography, or physical features that are unique to the property or structure on which the proposed sign would be erected; or
 - (5) The variance will substantially improve the public convenience and welfare and is not contrary to the intent of this chapter.
- (E) In making determinations, the Building Official, Planning and Zoning Commission, and City Council shall consider the following:
 - (1) Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.
 - (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.

- (3) Proposed sign location, configuration, design, materials, and colors are harmonious with the surrounding area.
 - (4) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.
 - (5) The sign and its supporting structure is in architectural harmony with the surrounding structures.
 - (6) Mitigation measures related to the sign in question or other signs on the same premises.
 - (7) The existence of Nonconforming Signs or Prohibited Sign Types are located on-site.
 - (8) Demonstrated and documented correlation between the variance and protecting the public health, safety, and welfare.
 - (9) The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance when the applicant is submitting/obtaining a plat, planned unit development, development agreement, or site plan.
 - (10) Whether the sign could have been included in a Master Signage Plan. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a Master Signage Plan and considered in the course of a comprehensive review of the entire project's signage.
 - (11) The Building Official may authorize the remodeling, renovation, or alteration of a sign when some nonconforming aspect of the sign is thereby reduced.
- (F) Prohibited Variances. An applicant shall not seek a variance to the following:
- (1) Any procedural requirement established by this chapter; or
 - (2) Authorize a prohibited sign type.
- (G) Where a permit was required for a sign's erection according to the law in effect at the time the sign was erected and where the Building Official finds no record of a permit being issued, the Building Official may authorize the issuance of a replacement permit when, from the evidence presented, the Building Official finds either that a permit was issued or that arrangements were made with a sign company to obtain such permit.
- (H) If an applicant wishes to appeal a decision of the Building Official on either a variance request or a decision of the Building Official under Section 154.800(a), the applicant shall file for an appeal with the Planning and Zoning Commission within ten (10) days of receipt of the Building Official's decision. The Planning and Zoning Commission shall consider the appeal at its next regular meeting or as soon as practicable in consideration of the Texas Open Meetings Act. The Planning and Zoning Commission shall either: (1) approve, reject, or approve upon condition the variance application, if any, at its meeting; (2) postpone its

decision on the request of the applicant; (3) postpone its decision to its next regular meeting for good cause based on need for further review by the Planning and Zoning Commission; or (4) upon an appeal under 154.800(a) affirm, reverse, or modify the Building Official's decision. Upon approval by the Planning and Zoning Commission, the sign permit and variances, if any, the permit shall be issued by the Building Official or the Building Official's designee.

- (I) An applicant may appeal a denial of a variance by the Planning and Zoning Commission to the City Council by filing a request for an appeal within thirty (30) days after the date of consideration by the Planning and Zoning Commission.
- (J) The Building Official, Planning and Zoning Commission or City Council may impose conditions upon the granting of a variance under this Chapter. Such conditions must be related to the variance sought and be generally intended to mitigate the adverse effects of the sign on neighboring tracts and the general aesthetic ambiance of the community. A non-exhaustive list of examples of conditions includes increased setbacks, added vegetation, muted colors, and decreased lighting. The Planning and Zoning Commission and City Council may condition sign variances on the applicant bringing other existing, nonconforming signs into compliance with current regulations. An applicant's failure to comply with conditions placed on a variance may result in the variance being voided and an enforcement of all available code enforcement actions and other remedies available in equity or at law.

§ 154.900 VIOLATIONS

Failure to comply with the provisions of this Chapter shall constitute a violation of the City Code. Each day a violation exists shall constitute a separate violation and, consequently, a separate offense.

§ 154.901 PENALTIES

Any person violating any provision of this Chapter shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00).

§ 154.902 CIVIL AND ADMINISTRATIVE REMEDIES

A violation of this Chapter 154 is also subject to civil and administrative penalties including, but not limited to, the following:

- A. Issuing a stop-work order for any and all work on any signs on the same lot;
- B. Seeking an injunction or other order of restraint or abatement that requires the removal of the sign(s) or the correction of the nonconformity; and
- C. Seeking in court the imposition of any penalties that can be imposed by such court under building code.

Nothing in this Chapter shall preclude the city's pursuit of any and all other remedies allowed under civil and criminal statutes and, in equity, to address conditions which are treated in this Chapter. Neither shall the city be required to issue, nor be prohibited from issuing, criminal citations before, during, or after any proceeding prescribed in this Chapter.

Civil remedies contained herein shall be construed to be in addition to the power of the city to abate public nuisances.